

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Labour Department - Disciplinary action against Sri N.M.Sarma, ALO (Retd.) on allegations of corruption and bribe from the shop owners —Initiation of departmental Proceedings under Rule 9(2) (b) (iii) of Andhra Pradesh Revised Pension Rules 1980 r/w Rule 20 of APCS (CCA) Rules, 1991 - Departmental Enquiry conducted –Charges proved - Punishment of 50% cut in pension for 5 years imposed – orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (VIG) DEPARTMENT.

G.O.Ms.No. 74

Dated: 24.07.2012.

Read the following:

- Ref: 1. From the Institution of Lokayukta and Upa-Lokayukta of Andhra Pradesh, Basheer Bagh, Hyderabad, letter Dis. No.358 / 2006 /B2/ 10180 /2006, dated: 23/28.10.2006.
2. Govt.Memo.No.9154/Vig./06-1, dated:17.11.2006.
3. From the COL, Lr.No. R1/8843/05, dt. 17.03.08.
4. G.O.Rt.No. 740, LET&F (Vig) Deptt., dt. 20.05.2009.
5. Representation dated 09.09.10 of Sri NM Sharma ALO, Gudiwada (Retd.)
6. G.O.Rt.No. 677, LET&F (Vig) deptt., dated 13.04.2011.
7. From COL Lr No. J1/8843/2005 dt. 06.09.2011.
- 8.Govt. Memo.No. 9154/lab.IV/A1/2006 dated 27.02.2012.
9. from COL Lr No. J1/8843/2005 dated 04.04.2012.
10. Govt. letter No. 9154/vig/2006, dated 25.06.2012.addressed to APPSC.
11. From APPSC Lr No. 1315/RT/3/2012, dated 07.07.2012.

ORDER

In the reference 1st read above, the Honble Lokayukta of Andhra Pradesh, Hyderabad while forwarding the Inquiry Report of the Inquiry Officer of the Director (Investigation) in a Complaint No.358/2006/B2 filed by Sri Chinta Pitchaiah, President, Retail Kirana Merchants Chamber, Gudiwada against Sri N.M.Sarma, Assistant Labour Officer, Gudiwada, Krishna District on the allegations of corruption and bribe from the shop owners have ordered to initiate disciplinary action against Sri N.M.Sarma, Assistant Labour Officer (Retd) on the two allegations proved in the inquiry

2. In the reference 2nd read above the Commissioner of Labour was requested to send a detailed report on the allegations against Sri N.M. Sarma, Assistant Labour Officer, Gudiwada.

3. In the reference 3rd read above, the Commissioner of Labour has submitted the preliminary report on the allegations against Sri N.M. Sarma, Assistant Labour Officer.

4. In the reference 4th read above, Government has framed articles of charges against Sri N.M. Sarma, Assistant Labour Officer, Gudiwada and directed to submit his explanation. In the reference 5th read above, Sri N.M. Sarma has submitted his explanation denying the charges leveled against him.

1. In the reference 6th read above, Smt. B.Yogya Sheela, Deputy Commissioner of Labour (Admn), O/o Commissioner of Labour, Hyderabad was appointed as enquiry Officer to enquire into the charges against Sri N.M.Sarma, Assistant Labour Officer :-

Charge:1 That Sri N.M Sarma while working as ALO, Gudiwada from 30.07.2001 to 08.06.2006 in the capacity of public servant in misuse of his official position and motivated by corrupt consideration, has collected fees towards registration, renewals etc. from the retail shop owners under the provisions contained in APSE Act 1988 and Rules 1990 in excess to the actual prescribed rates with dishonest concealment of the provisions of the aforesaid Acts & Rules with an intention to gain wrongfully and thus violated provisions of APCS (Conduct) 1964

Charge : 2. Sri N.M. Sarma, while working as ALO from 30.07.2001 to 08.06.2006 having collected excess fees towards registration and renewals from the retail shop owners has falsified and manipulated the records of his office and remitted less amount to the Government Account which is an unbecoming on his part being a Government Servant and there by contravened Rule 3 of APCS Rules 1964 and committed an offence. The action of Sri NM Sharma, amount to criminal breach of trust as public servant.

6. In the reference 7th read above, the Commissioner of Labour has furnished enquiry report submitted by the enquiry officer to the Government. The Enquiry officer has concluded that the charges 1 and 2 are held proved beyond doubt during the course of enquiry.

7. In the reference 8th read above, a show cause notice was served on Sri N.M.Sarma, Assistant Labour Officer, Gudiwada as to why a cut of 50% in pension for 5 years should not be imposed against him as per Rule 9 of Andhra Pradesh Civil Services (CCA) Rules, 1980. In the reference 9th read above, the Commissioner of Labour has forwarded the explanation of Sri N.M.Sarma, Assistant Labour Officer (Retd.) received from him to the show cause notice. The explanation submitted by him is not convincing as he has not brought any new facts or grounds for consideration to exonerate him from the charges.

8. And whereas considering the findings of the inquiry report, and his reply to the show cause notice and all the relevant material made available and after obtaining the concurrence of the Andhra Pradesh Public Service Commission Government have decided to impose the punishment of 50% cut in pension for 5 years under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

9. Accordingly, Government, in exercise of the powers conferred under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 hereby impose the penalty of 50% cut in pension for 5 years on Sri N.M.Sarma, Assistant Labour Officer (Retd.) with immediate effect.

10. The Commissioner of Labour shall take necessary action in the matter and send the compliance report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF THE ANDHRA PRADESH)

J.C.SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri N.M.Sarma, Assistant Labour Officer (Retd.) thro:

The Commissioner Labour, Hyderabad.

The Commissioner, Labour, Hyderabad.

Copy to: The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

The Secretary, Andhra Pradesh Public Service Commission.

//Forwarded :: By Order//

SECTION OFFICER